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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - OAKLAND

TOGO'S FRANCHISED EATERIES LLC, a
Delaware Limited Liability Company

Plaintiff,

vs.

AHMAD SAFARI, a resident of California,

Defendant.

Case No. C06-3439 CW

**ORDER GRANTING PLAINTIFF'S
REQUEST FOR VOLUNTARY
DISMISSAL**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff Togo's Franchised Eateries LLC's request that the Court dismiss this action without prejudice and without costs, attorneys' fees or sanctions as to all counts, claims and causes of action is GRANTED.

1 IT IS SO ORDERED.

2 October 30

3 _____, 2006



4 _____
5 United States District Judge

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PROOF OF SERVICE - F.R.C.P. §5

I, the undersigned, declare: I am employed in the County of Alameda, State of California. I am over the age of 18 and not a party to the within action. I am employed by Fitzgerald, Abbott & Beardsley, located at 1221 Broadway, 21st Floor, Oakland, CA 94612. I am readily familiar with this firm's business practice of processing of documents for service.

On October 27, 2006, I served a true and correct copy of the following document(s):

[PROPOSED] ORDER GRANTING PLAINTIFF'S VOLUNTARY DISMISSAL

on all the following interested parties, by causing service by the method indicated below:

Ahmad Safari
c/o Togo's
1315 Pacific Avenue
Santa Cruz, CA 95060

Defendant

X	U.S. Mail - By placing a copy of said document(s) in a sealed envelope addressed as stated above, with postage thereon fully prepaid, and depositing said envelope today with the U.S. Postal Service, following this firm's business practices.
	Overnight Delivery - By placing a copy of said document(s) in a sealed pre-paid overnight envelope or package and depositing said envelope or package today in a box or other facility regularly maintained by the express service carrier, following this firm's business practices.
	Personal Service - By personally serving today said documents(s) to the attorney or party as stated above.
	Facsimile - By placing a true copy thereof into a facsimile machine to the fax number stated above, as agreed upon, in writing, by the parties.

I declare under the penalty of perjury under laws of the State of California that the foregoing is true and correct.

Executed on October 27, 2006, at Oakland, California.

 Alleen N. Hodgkin